

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

CURTIS SMITH, No. 42043,)	
MELVIN LEROY TYLER, No. 09670,)	
)	
Plaintiffs,)	
)	
v.)	No. 04-4075-CV-C-NKL
)	
BOB HOLDEN, et al.,)	
)	
Defendants.)	

ORDER

On June 11, 2010, plaintiff Melvin Leroy Tyler filed a motion seeking an extension of the protective order issued on October 2, 2007. The protective order stated, in relevant part, that “defendants are ordered not to destroy any documents/files/legal materials belonging to plaintiff Tyler that are or may be related to this case, prior to conclusion of the appeal.” (Doc. No. 378.) Since the issuance of the protective order, the United States Court of Appeals for the Eighth Circuit has reviewed and denied plaintiff’s appeal, issuing a judgment on October 30, 2009, and a mandate on March 9, 2010. The purpose of the protective order was fulfilled upon conclusion of plaintiff’s appeal with the Eighth Circuit. Further, when the protective order was granted, it specifically noted that it was being issued only out of an abundance of caution. Plaintiff’s complaints regarding his legal materials were not believed to have merit when alleged in 2007, and the court finds no basis for finding his current allegations have merit. This court finds no basis to grant a continuance of the October 2, 2007 protective order. It is, therefore,

ORDERED that plaintiff Melvin Leroy Tyler’s motion to extend injunction is denied.

[411]

/s/
NANETTE K. LAUGHREY
United States District Judge

Dated: July 1, 2010
Jefferson City, Missouri